EXHIBIT NO. 5

DATE 1-30-07

BHL NO. SB 314

Senate Bill 314 January 30, 2007 Presented by Jeff Hagener Senate Fish and Game Committee

Mr. Chairman and committee members, for the record I am Jeff Hagener, Director of Montana Department of Fish, Wildlife & Parks (FWP).

I am here today to provide informational testimony on this bill. As you all know there is a potential funding problem with the Ft Peck Hatchery. We do not anticipate that this legislation would generate sufficient additional revenue to help much with that funding problem. In the fiscal note we estimated it would generate an additional \$13,986/annually.

We do agree with the sponsor that this will make enforcement of the warmwater stamp easier. Currently a person is required to have the stamp on certain waters if they are fishing for warmwater fish. Determining an angler's intent to fish for warm or coldwater species can be difficult. This legislation would make it clear that anyone fishing these waters must have the stamp.

There will be a segment of the angling population that is not now required to have the warmwater stamp and will be required to purchase it if this bill passes. It is unlikely they will be happy about being required to buy the warmwater stamp if this bill passes.